

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 2/8/17	NEED RESPONSE BY: 2/27/17
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: San Diego County	
3. PHONE NO.:	7. SUBJECT: CalFresh	
4. REGULATION CITE(S): ACL 13-79	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). All County Letter No. 13-79	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

San Diego County has demanded repayment of a Administrative Error CalFresh overissuacne totaling \$77.00.

The overissuance took place during October 2016-December 2016.

Notice of Action demanding repayment was sent to claimant on December 5, 2016.

Claimant requested benefits to be discontinued on December 31, 2016.

Can County collect in light of ACL 13-79 prohibiting collection regarding Administrative Error Overissuances less than \$125.00?

10. REQUESTOR'S PROPOSED ANSWER:

Not Sure:

County position is that the overissuance was established prior to the discontinuance of benefits and therefore is valid.

ACL 13-79 states that the threshold of \$125.00 applies when the household is no longer receiving benefits. Therefore, it would seem that the County action is incorrect since the amount is less than \$125.00, and the household is no longer receiving benefits.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

ACL 13-79 provides that counties will not establish a claim if the the overissuance is less than \$125.00, therefore the county cannot collect the \$77.00 from the claimant.

FOR CDSS USE

DATE RECEIVED:

2/8/17

DATE RESPONDED TO COUNTY/ALJ:

2/15/17 VM